## REMARKS

In light of the remarks to follow, reconsideration and allowance of this application are respectfully requested.

Claims 1-18 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,671,354 to Ito et al. and further in view of U.S. Patent No. 5,805,203 to Horton. The rejection is traversed for the following reasons.

Independent claim 1 is directed to a communication system with a plurality of client terminal devices and a communication server machine connected to a network. The communication server machine manages user information related to each client terminal device. The user information indicates the conditions under which the client terminal device connects to the network. The conditions include at least a transmission band associated with the terminal device. Based on the conditions in the user information for a pair of client terminal devices connected to the network, the communication server machine **selects a communication application** suitable for communicating information between the two client terminal devices. As an example, the communication application may be a text chat system, a voice chat system, a video chat system, a TV conferencing system, or the like. Depending on the size of the transmission band for each of the client terminal devices, one of the communication applications is selected. For instance, for a low transmission band, a text chat system may be selected. For a high transmission band, a video chat system may be selected.

In explaining the rejection, the Examiner appears to rely on col. 2, lines 55-66 of Ito to teach "a communication server machine connected to the network and operable ... to select a communication application that is suitable for both the user and the another user based on the user information." It is

respectfully submitted that Ito, neither in the referenced portion nor any other portion, teaches selecting a communication application as in claim 1. Instead, the portion of Ito relied upon by the Examiner to teach selecting a communication application appears to disclose a network system where a server collects account information from each of the servers a user has authorization to use. When a user enters his/her user authentication information and a request for an account display into one of the client terminals, the information is transmitted from the client terminal to the server that collected the account information. The server transmits the collected account information to the client terminal. The client terminal then displays the transmitted account information on a display device. Such portion does not disclose selecting a communication application based on user information that includes a transmission band as in claim 1.

Further, Horton does not teach "a communication server machine connected to the network and operable ... to select a communication application that is suitable for both the user and the another user based on the user information." Instead, Horton teaches two unique data channels. A small fixed bandwidth control channel used to manage a connection between a user and a service node and a shared bandwidth data channel used to relay information requests and responses between a user and an information service provider. One of the two channels is selected based on the type of information being transmitted. There is no disclosure in Horton that teaches a communication application being selected based on user information which includes a transmission band.

Accordingly, amended independent claim 1 is believed to be distinguishable from the applied combination of Ito and Horton. For reasons similar to those described above with regard to claim 1, amended independent claims 2, 3, 6, 9, and 10

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are believed to be distinguishable from the applied combination of Ito and Horton. Claims 4, 5, 7, 8, 11, and 12-18 depend from one of claims 1-3, 6, 9, and 10, and, at least due to such dependency, are believed to be distinguishable from the applied combination of Ito and Horton. Therefore, withdrawal of the above 35 U.S.C. §103 rejection is respectfully requested.

Additionally, applicants respectfully request acknowledgement of applicants' claim for foreign priority based on foreign applications JP 2001-044228 and JP 2002-034870.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that he/she telephone applicant's attorney at (908) 654-5000 in order to overcome any additional objections which he might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

Dated: February 7, 2006          Respectfully submitted,

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